

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBIN MARIE BECHTEL,

Plaintiff,

Civil Action No. 13-cv-12324

v.

Honorable Patrick J. Duggan

COMMISSIONER OF
SOCIAL SECURITY,

Magistrate Judge R. Steven Whalen

Defendant.

OPINION AND ORDER

On May 24, 2013, Plaintiff Robin Bechtel filed this lawsuit challenging a final decision of the Commissioner of Social Security denying Plaintiff's application for supplemental security income under Title XVI of the Social Security Act. The same day, the lawsuit was referred to Magistrate Judge R. Steven Whalen for all pretrial matters proceedings, including a hearing and determination of all non-dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(A) and/or a report and recommendation ("R&R") on all dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(B). (ECF No. 2.) The parties subsequently filed cross-motions for summary judgment. (ECF Nos. 9, 10.) On June 23, 2014, Magistrate Judge Whalen issued an R&R recommending that this Court grant Defendant's motion and deny Plaintiff's motion. (ECF No. 11.)

In his R&R, Magistrate Judge Whalen thoroughly examines Plaintiff's arguments before concluding that there was substantial evidence in the record to support the Administrative Law Judge's determination that Plaintiff was not under a disability as that term is used in the Social Security Act. At the conclusion of the R&R, Magistrate Judge Whalen advises the parties that they may object to and seek review of the R&R within fourteen days of service upon them. (R&R 12.) He further specifically advises the parties that "[f]ailure to file specific objections constitutes a waiver of any further right to appeal." (*Id.*) Neither party filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Whalen. The Court therefore adopts Magistrate Judge Whalen's June 23, 2014 Report and Recommendation.

Accordingly,

IT IS ORDERED that Plaintiff's motion for summary judgment is **DENIED**;

IT IS FURTHER ORDERED that Defendant's motion for summary judgment is **GRANTED**.

Dated: July 22, 2014

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copies to:

Richard J. Doud, Esq.

Anne Kleinman, Esq.

Susan K. DeClercq, AUSA

Magistrate Judge R. Steven Whalen